

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1216

S. P. 398

In Senate, March 14, 1979

On Motion of Senator Katz of Kennebec, referred to the Committee on Business Legislation. Sent down for concurrence and ordered printed.

Presented by Senator Ault of Kennebec.

Cosponsor: Senator Clark of Cumberland.

MAY M. ROSS, Secretary of the Senate

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-NINE

**AN ACT to Transfer the State Board of Certification for Geologists and Soil Scientists to the Department of Business Regulation.**

Be it enacted by the People of the State of Maine, as follows:

**Sec. 1.** 32 MRSA § 4907, first sentence, as repealed and replaced by PL 1977, c. 78, § 188, is amended to read:

The State Board of Certification for Geologists and Soil Scientists is created and shall administer this chapter and its office shall be within the ~~Department of Conservation~~ **Department of Business Regulation**.

**Sec. 2.** 32 MRSA § 4907, sub-§ 4, as repealed and replaced by PL 1975, c. 760, § 10 is repealed and the following enacted in its place:

**4. Meetings.** The board shall meet annually and at such other times as it may deem necessary and keep a record of proceedings. The board shall, every 2 years, elect a chairman who shall be a member of the board. No chairman shall serve more than 2 consecutive terms.

**Four members shall constitute a quorum.**

**Sec. 3.** 32 MRSA § 4908, as last amended by PL 1977, c. 694, § 645, is repealed and the following enacted in its place:

**§ 4908. Powers and duties**

The board may adopt, amend or repeal rules and regulations, pursuant to Title 5, chapter 375, subchapter II, to carry out this chapter, including, but not limited to, rules and regulations relating to professional conduct in accordance with the policy of this chapter.

The board may receive and expend moneys derived from fees and other sources.

1. **Register.** The Central Licensing Division of the Department of Business Regulation shall compile and maintain a complete and up-to-date list of all licenses. The list shall be made available to any person upon request.

2. **Reports.** On or before August 1st of each year, the board shall submit to the Commissioner of Business Regulation for the preceding fiscal year ending June 30th, its annual report of its operations and financial position, together with such comments and recommendations as the commissioner deems essential.

The board shall submit to the Commissioner of Business Regulation its budgetary requirements in the same manner as is provided in Title 5, section 1665, and the commissioner shall in turn transmit these requirements to the Bureau of the Budget.

3. **Employees.** The Commissioner of Business Regulation, with the advice and consent of the board, shall be empowered to appoint, subject to the Personnel Law, such employees as may be necessary to carry out this chapter. Any person employed shall be located in the Department of Business Regulation and under the administrative and supervisory direction of the Commissioner of Business Regulation.

4. **Liaison.** The board shall establish relations with bodies which regulate the practice of geology and the practice of soil science, or closely related disciplines, or which certify geologists or soil scientists in other states, and may establish relations with such bodies in other countries for the purposes of achieving uniformly high professional standards and mutual recognition of certification.

Sec. 4. 32 MRSA § 4910, as amended by PL 1975, c. 760, § 14, is repealed.

Sec. 5. 32 MRSA § 4911, as enacted by PL 1973, c. 558, § 1, is repealed and the following enacted in its place:

**§ 4911. Expiration and renewal**

Certificates shall expire on December 31st biennially and shall become invalid on that date unless renewed. Any individual not renewing a certificate within 5 years after expiration will be considered as a new applicant. It shall be the duty of the Central Licensing Division of the Department of Business Regulation to notify, at his last known address, every person registered under this chapter of the date of the expiration of his license and the amount of the fee that shall be required for its renewal for a 2-year period. The notice shall be mailed at least one month in advance of the expiration date.

STATEMENT OF FACT

The purpose of this bill is to transfer the State Board of Certification for Geologists and Soil Scientists to the Department of Business Regulation.